

Message Text

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ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 DPW-01 SCA-01 SR-02 ORM-03

IO-14 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

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R 300905Z NOV 73

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC 8848

INFO AMEMBASSY KATHMANDU

AMEMBASSY MOSCOW

AMEMBASSY NEW DELHI

AMEMBASSY TAIPEI

AMEMBASSY TOKYO

USLO PEKING

C O N F I D E N T I A L HONG KONG 11990

E.O. 11652:

TAGS: PFOR, CH, HK

SUBJECT: THE PRC AND THE "RIGHT TO EMIGRATE"

SUMMARY: WHETHER OR NOT THE PRC MIGHT AT SOME POINT BE SAID TO SUBSCRIBE TO A "RIGHT TO EMIGRATE" IS COMPLICATED BY THE FACT THAT PEKING IS CURRENTLY WILLING TO ALLOW FAR MORE PEOPLE TO EMIGRATE FROM CHINA THAN OTHER COUNTRIES ARE WILLING TO ACCEPT. END SUMMARY.

1. WITHOUT ATTEMPTING TO ASSESS ALL THE POSSIBLE RAMIFICATIONS OF THE "RIGHT TO EMIGRATE" PROVISION PROPOSED FOR THE TRADE BILL AS IT RELATES TO THE PRC, WE OFFER THIS BRIEF REVIEW OF SOME RECENT PERTINENT DEVELOPMENTS IN PRC EMIGRATION POLICY.

2. OVER THE PAST TWO YEARS, PEKING HAS PROGRESSIVELY EASED ITS RESTRICTIONS ON EMIGRATION AND ISSUED A LARGE NUMBER OF PERMITS VALID FOR EXIT FROM CHINA. FIRST PRIORITY APPEARS TO HAVE

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GONE TO OVERSEAS CHINESE WHO RETURNED TO CHINA DURING THE PAST

TWENTY YEARS AND TO PERSONS WHO HAVE RELATIVES LIVING OUTSIDE CHINA. THE PERSONS IN BOTH CATEGORIES, WHILE A RELATIVELY SMALL NUMBER IN CHINA'S HUGE POPULATION AMOUNT TO SEVERAL HUNDRED THOUSAND PEOPLE. THE SOUTHEAST ASIAN COUNTRIES WHERE MANY OF THE OVERSEAS CHINESE WERE BORN REFUSE TO ALLOW THEM TO RETURN AND RELATIVES OF OVERSEAS CHINESE IN OTHER COUNTRIES (E.G. THE UNITED STATES) MUST, OF COURSE, OBTAIN IMMIGRANT VISAS FROM GOVERNMENTS CONCERNED.

3. THE RESULT, THEREFORE, OF CHINA'S RELAXATION ON THE ISSUANCE OF EXIT PERMITS HAS BEEN A LARGE INFLUX OF CHINESE INTO HONG KONG AS LEGAL IMMIGRANTS WITH NO OPPORTUNITY TO GO ON TO OTHER COUNTRIES. THE STRAIN THIS INFLUX (AT ONE POINT UP TO 600 PER DAY) PLACED ON HONG KONG' ALREADY OVERCROWDED HOUSING AND SOCIAL SERVICES WAS VIEWED AS INTOLERABLE BY LOCAL AUTHORITIES AND THE BRITISH GOVERNMENT APPEALED TO THE PRC TO CUT DOWN THE FLOW. IN RESPONSE, THE PRC TACITLY AGREED TO LIMIT THE NUMBER OF LEGAL EMIGRANTS TO UNDER 100 PER DAY (HONG KONG 11529).

4. IN MOST CASES, PERSONS WHO QUALIFY FOR IMMIGRATION VISAS FOR OTHER COUNTRIES (INCLUDING THE UNITED STATES) ARE NOW ALLOWED TO LEAVE CHINA WITHOUT DIFFICULTY. THERE IS APPARENTLY NO UNUSUAL TAX OR EXIT FEE LEVIED ON THESE PEOPLE. THE PRC HAS RECENTLY SIGNED AN AGREEMENT WITH CANADA TO FACILITATE THE EXIT OF RELATIVES OF CANADIAN CITIZENS AND WHEN THE DETAILS ARE WORKED OUT, A CANADIAN IMMIGRATION OFFICER STATIONED IN HONG KONG WILL VISIT PEKING REGULARLY TO PROCESS THE NECESSARY FORMS. THE CHINESE APPEAR TO BE EVEN MORE INTERESTED IN RAPID IMPLEMENTATION OF THIS AGREEMENT THAN THE CANADIANS. PEKING HAS ALSO AGREED TO FACILITATE THE TRAVEL OF RELATIVES OF AUSTRALIANS TO AUSTRALIA.

5. ON THE OTHER HAND, THE PRC'S INEXPLICABLE RELUCTANCE TO ALLOW THE WHITE RUSSINAS CAUGHT IN CHINA IN 1949 TO EMIGRATE FREELY CONTINUES. ONLY THIRTY-NINE HAVE EXITED CHINA THIS YEAR, ALTHOUGH THE WORLD COUNCIL OF CHURCHES OFFICE IN HONG KONG KNOWS OF ABOUT 750 OTHERS WHO WANT TO LEAVE AND WHO HAVE ALREADY BEEN ACCEPTED BY OTHER COUNTRIES. IN TWO-THIRDS OF THESE REMAINING CASES, THE ISSUE IS NOT COMPLICATED BY SUCH FACTORS AS A CHINESE SPOUSE, MIXED-BLOOD CHILDREN, ETC. THERE ARE ALSO SEVERAL HUNDRED CHINESE MINORITY

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PEOPLE FROM THE BORDER REGIONS WHO HAVE CONTACTED APPROPRIATE OFFICES IN HONG KONG SEEKING ASSISTANCE IN SECURING PERMISSION TO LEAVE CHINA.

6. THERE ARE OTHER FACTORS WHICH ALSO SUGGEST THAT THOSE CHINESE WHO ARE PRESENTLY ELIGIBLE TO RECEIVE EXIT PERMITS (NOW MOSTLY OVERSEAS CHINESE AND RELATIVES OF OVERSEAS CHINESE) MAY WELL FORM ONLY A SMALL PORTION OF PERSONS WHO MIGHT WISH TO LEAVE CHINA. EVERY

YEAR SEVERAL THOUSAND CHINESE, MOSTLY DISENCHANTED YOUTH, SWIM TO HONG KONG AND DESPITE THE FACT THAT THIS IS AGAINST THE LAWS OF BOTH THE PRC AND HONG KONG, THE COLONY RELUCTANTLY ALLOWS THEM TO STAY FOR HUMANITARIAN REASONS. OTHER PERSONS IN CHINA WHO MIGHT WANT TO EMIGRATE IF THEY COULD PRESUMABLY WOULD INCLUDE CERTAIN INTELLECTUALS, SOME MEMBERS OF MINORITY GROUPS SUCH AS TIBETANS OR UIGHURS, AND INDIVIDUALS WITH A BOURGEOIS OR "BAD ELEMENT" BACKGROUND SEEKING A BETTER LIFE ABROAD. IF RECENT EVENTS ARE ANY GUIDE, HOWEVER, IT SEEMS UNLIKELY THAT THERE IS ANY COUNTRY WHICH WOULD RECEIVE THEM IN LARGE NUMBERS. THEREFORE, IN MOST CASES THE QUESTION OF EXERCISING A "RIGHT TO EMIGRATE" WOULD NOT ARISE.

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